By the Committee on Health Care; and Senator Wilson

587-2173-05

| 1 | A bill to be entitled |
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| 2 | An act relating to respite care; creating s. |
| 3 | 400.4071, F.S.; creating an intergenerational |
| 4 | respite care assisted living facility pilot |
| 5 | program; providing duties of the Agency for |
| 6 | Health Care Administration with respect to the |
| 7 | program; providing requirements and standards |
| 8 | for the program; providing for rules; requiring |
| 9 | a report to the Legislature; providing an |
| 10 | effective date. |
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| 12 | Be It Enacted by the Legislature of the State of Florida: |
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| 14 | Section 1. Section 400.4071, Florida Statutes, is |
| 15 | created to read: |
| 16 | 400.4071 Intergenerational respite care assisted |
| 17 | living facility pilot project |
| 18 | (1) It is the intent of the Legislature to establish a |
| 19 | pilot program to: |
| 20 | (a) Facilitate the receipt of in-home, family based |
| 21 | care by minors and adults having disabilities and elderly |
| 22 | persons having special needs through respite care for up to 14 |
| 23 | days. |
| 24 | (b) Prevent caregiver "burnout," in which the |
| 25 | caregiver's health declines and he or she is unable to |
| 26 | continue to provide care so that the only option for the |
| 27 | person having disabilities or special needs is to receive |
| 28 | institutional care. |
| 29 | (c) Foster the development of intergenerational |
| 30 | respite care assisted living facilities to temporarily care |
| 3 1 | for minors and adults having disabilities and elderly nersons |

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| 1 | having special needs in the same facility and to give |
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| 2 | caregivers the time they need for rejuvenation and healing. |
| 3 | (2) The Agency for Health Care Administration shall |
| 4 | establish a 5-year pilot program, from the date of |
| 5 | implementation, in which it shall license a pilot program to |
| 6 | provide an intergenerational respite care assisted living |
| 7 | facility that will provide temporary personal, respite, and |
| 8 | custodial care to minors and adults having disabilities and |
| 9 | elderly persons having special needs who do not require |
| 10 | 24-hour nursing services. The intergenerational respite care |
| 11 | assisted living facility must: |
| 12 | (a) Meet all applicable requirements and standards |
| 13 | contained in this part, except that the term "resident" means |
| 14 | a person of any age temporarily residing in and receiving care |
| 15 | from such facility. |
| 16 | (b) Provide respite care services for minors and |
| 17 | adults having disabilities and elderly persons having special |
| 18 | needs for a period of at least 24 hours but no more than 14 |
| 19 | consecutive days. |
| 20 | (c) Provide a facility or facilities in which minors |
| 21 | and adults reside in distinct and separate living units. |
| 22 | (d) Be a facility that has a maximum of 48 beds, is |
| 23 | located in Miami-Dade County, and is operated by a |
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| | not-for-profit entity. |
| 25 | not-for-profit entity. (3) The agency may establish other policy provisions |
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| | (3) The agency may establish other policy provisions |
| 26 | (3) The agency may establish other policy provisions necessary to achieve the objectives specific to the pilot |
| 26 27 | (3) The agency may establish other policy provisions necessary to achieve the objectives specific to the pilot program and may adopt rules necessary to implement the |

| 1 | recommend whether the Legislature should make the program |
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| 2 | permanent. |
| 3 | Section 2. This act shall take effect July 1, 2005. |
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| 5 | STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN |
| 6 | COMMITTEE SUBSTITUTE FOR <u>SB 1516</u> |
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| 8 | The Committee Substitute does not provide an exception to the |
| 9 | moratorium on certificates of need for nursing homes, but instead authorizes a pilot program under which an assisted living facility will be licensed to provide respite care for |
| 10 | children and adults in an intergenerational setting. |
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